

TOWN OF UNIONVILLE MINUTES OF REGULAR MEETING

The Town Council of the Town of Unionville held its regular meeting at 7:30 p.m. on Monday, October 17, 2011 in Town Hall, 1102 Unionville Church Road, Monroe, NC. Mayor Simpson and Commissioners Jim Baucom, Randy Baucom and Robert Crouch were present. Commissioners Ken Brown and Edd Little were absent. Town Attorney Ken Helms was also present.

Everyone stood and recited the Pledge of Allegiance to the United States flag, after which Commissioners Robert Crouch led the prayer of invocation.

Mayor Simpson called the meeting to order and welcomed everyone present.

There being no corrections to the minutes of the September 19, 2011 public hearing and regular meeting, Mayor Simpson declared them approved as reviewed.

Mayor Simpson recognized Budget and Finance Officer Darrell Baucom, who reviewed the financial statements, a copy of which is appended to these minutes. Mr. Baucom noted the cash balance on the Balance Sheet. In Budget vs. Actual, the Town is under budget on ad valorem taxes and over budget on franchise taxes, for a total of \$1,000 favorable on income. On the expense side, contributions, election and legal fees are less than budget, for a favorable total of \$41,000. Significant items since last month are the Unionville Volunteer Fire Department donation and legal fees. Upon motion duly made by Randy Baucom, seconded by Robert Crouch, Council unanimously approved payment of pending bills.

Mayor Simpson recognized Mr. Tom Griffin regarding the Griffin Farm and Landfill franchise application. Mr. Griffin reported that Griffin Farm and Landfill has submitted an application for a C&D landfill. He reminded the Council that they requested this, as we realized early on that the lawsuit would not cover all of Mr. Griffin's property. The Town asked if Mr. Griffin wanted to apply for a franchise for the entire property, so as not to have one lawsuit after another. This is public information. We expected the application for a C&D landfill making use of the entire property. The current operation is a "helmet". Mr. Tom Griffin stated that he has read the application for the first time today and will re-read it later. The Town is required to process the application as we have in the past. It is now mandatory that we have a public hearing and provide at least 30-days' notice of the public hearing in addition to Council items to evaluate the application. He reminded Council of the court's calendar. Griffin Farm & Landfill can come back and amend the complaint on February 1, 2012, so ideally, the Town should make a decision by that date. If the decision is to grant a franchise, we must plan far enough in advance to provide two readings of the franchise. If the franchise is denied, it only takes one meeting. Since it is mid-October now, it behooves the Town to make a decision by February 1, 2012. In the past, the Council has appointed two members to form an application review committee and make recommendations to the Council. Mr. Griffin stated that there is more information we will need from Griffin Farm & Landfill, such as technical information and a picture of what it will look like to make an informed decision. Attorney Ken Helms suggested that Council call a special meeting in late November, as the regular November meeting is too soon and the regular December meeting is too close to Christmas. Mayor Simpson inquired as to the timing of the subcommittee appointment. Mr. Griffin

stated that they could form the committee now to begin the process of reviewing the application. Mr. Griffin stated that the Town may want to have someone look at landfill height, community impact, setbacks and buffers, as this proposed landfill is larger than proposed before. Attorney Ken Helms reminded the Council that the last public hearing of this nature was held at Piedmont High School. Mayor Simpson made inquiry as to how the Town's decision would affect the court proceeding February 1, 2012. Mr. Griffin responded that some of that information should be discussed in Executive Session, but in general, if the franchise is granted, the lawsuit will end. If it is denied, Griffin Farm & Landfill will probably amend their complaint to have the Court order the Town to allow a landfill in the Town. One issue of the lawsuit is that only the helmet was included in the last application. Attorney Helms recommended that the Council appoint a subcommittee tonight of two Councilmen and set a public hearing date for late November, as they can always postpone the hearing if necessary. Mayor Simpson recommended Randy Baucom and Ken Brown for the subcommittee. This was agreeable with the Council. He asked Town Clerk Sonya Gaddy to check availability of Piedmont High School for a public hearing date. Mr. Tom Griffin will follow-up with Randy Baucom and Ken Brown. Mr. Griffin stated that all Councilmen may receive a copy of the application if they want it; it is a matter of public record and will be submitted to Union County Public Library for public inspection.

Upon motion duly made by Randy Baucom, seconded by Robert Crouch, Council unanimously approved the Resolution Directing the Clerk to Investigate a Petition for Annexation of Michael and Lisa Young's property at 3415 Morgan Mill Road, Monroe, NC.

Tax Collector Sonya Gaddy reported that 2011 property taxes were mailed to residents from our printer, Laser Print Plus in Columbia, SC this year. There were some issues with the tax bills this year. Union County has changed software and did not provide us a scroll; she printed her own scroll. This year, the printer mailed out bills for properties in the farm-deferred program and she has refunded any payments and written a letter to all owners stating that they are not responsible for these taxes. Also, the printer mailed mortgage company bills to the homeowner instead of the mortgage company this year. Those were reprinted and mailed to the escrow accounts today.

Mayor Simpson reminded everyone of the upcoming Christmas parade and tree lighting on Saturday, December 3, 2011.

There being no other business, Mayor Simpson declared the meeting adjourned.

Respectfully submitted,

Sonya W. Gaddy
Clerk

Approved as to form:

R. Kenneth Helms, Jr., Town Attorney

Thomas N. Griffin, III, Town Attorney